

RESOLUTION NO. VW-15-15

A RESOLUTION OF THE PLAN COMMISSION ADOPTING A BI-ANNUAL AMMENDMENT CYCLE FOR THE VILLAGE OF WESTON COMPREHENSIVE PLAN

A RESOLUTION, adopting a policy for the Bi-Annual Amendment Cycle and Procedure for the Comprehensive Plan with the intent to review any Comprehensive Plan amendments filed with the Department of Planning and Development.

WHEREAS, Per Section 94.16.14(3)(a) of the Village of Weston Municipal Code the Plan Commission shall adopt a policy defining the Bi-Annual Amendment Cycle for the review of the Comprehensive Plan, with the intent to adopt any Comprehensive Plan amendments in the bi-annual amendment cycle by February of the following year.

WHEREAS, the Village of Weston Plan Commission shall accept applications for a Comprehensive Plan amendment in writing no later than April 1 or October 1 of each year, using a Village provided application form and notarized, in order to be considered in that year's bi-annual amendment cycle.

WHEREAS, the Village of Weston Plan Commission shall review and consider each application for a Comprehensive Plan amendment at the regularly scheduled Plan Commission meeting date in the month of May or November, respectively, as prescribed Section 94.16.14(4) in the Village of Weston Municipal Code.


WHEREAS, the Village of Weston Plan Commission shall recommend, by resolution, the applications for a Comprehensive Plan amendment that pass each review criteria as prescribed in Section 94.16.14(4) and forward to the Village Board of Trustees for a public hearing following a 45-day public comment period.


WHEREAS, the Village Board may adopt all or some of the recommended Comprehensive Plan amendments by ordinance, either as recommended or with modifications.

NOW THEREFORE BE IT RESOLVED, by the Plan Commission of the Village of Weston, that the Chair is hereby authorized to execute the attached Annual Amendment Cycle and Procedure for the Comprehensive Plan.

PASSED BY THE PLAN COMMISSION OF THE VILLAGE OF WESTON, at a regular meeting thereof, this 8 day of the month of June, 2015.

VILLAGE OF WESTON, a Municipal Corporation of the State of Wisconsin.

By: 
LOREN WHITE, Plan Commission Chair

ATTEST:
By: 
VALERIE PARKER, Secretary, Plan Commission

Attachment 'A' – Section 94.16.14 of the Village of Weston Municipal Code

Attachment 'B' – Bi-Annual Amendment Cycle for the Village of Weston Comprehensive Plan

Section 94.16.14: Comprehensive Plan Amendments

(1) Purpose. The purpose of this Section is to provide procedures and criteria for amending and updating the Comprehensive Plan. Comprehensive plan amendments may involve changes in the written text or maps of the Comprehensive Plan. Nothing in this Section shall be construed to limit the legislative authority of the Village to consider and adopt amendments and revisions to the Village of Weston Comprehensive Plan or the Village's development regulations.

(2) Amendment Procedure—Generally. The Village shall follow the procedure in Wis. Stat. § 66.1001(4), for all amendments to the Comprehensive Plan. The Village will consider Comprehensive Plan amendments only once per calendar year, so that the cumulative effects of all proposed amendments can be analyzed for consistency and the overall effect on the remainder of the Comprehensive Plan. The Village Board may elect to amend the Comprehensive Plan on a more frequent or different cycle for amendments that the Board determines necessary to:

- (a) Address changes in state or federal law.
- (b) Address an emergency situation.
- (c) Resolve a court decision or challenge to the Comprehensive Plan that may result in court action.
- (d) Capture a unique economic development opportunity.
- (e) Address rapidly changing land use or other needs or circumstances.

(3) Annual Amendment Cycle and Procedure.

(a) By August 1st of each year, the Zoning Administrator shall obtain Plan Commission approval of a Comprehensive Plan amendment schedule, with the intent to adopt any Comprehensive Plan amendments in that annual amendment cycle by February of the following year.

(b) Applications for Comprehensive Plan amendments shall be submitted to the Zoning Administrator in writing each year by the annual application deadline established in the approved amendment schedule, using a Village provided application form, in order to be considered in that year's amendment cycle. Only complete applications will be processed.

(c) In addition to such applications, Village staff, the Village Plan Commission or any member thereof, or the Village Board or any member thereof may request amendments to the Comprehensive Plan, by the annual application dateline or another date if established in the approved amendment schedule.

(d) The Zoning Administrator shall refer all proposed amendments under subsections (a) and (b) to the Plan Commission, within 30 days following the latest required date of submittal.

(e) The Commission shall advise Village staff as to which proposed amendments should be considered for further review, providing an opportunity for public comment. Depending upon the number and nature of the proposed amendments, the Commission may hold a public hearing before it decides which proposed amendments should be recommended for consideration. Notice of such hearing shall be given by publication of a Class 1 Notice. In the case of a site-specific Future Land Use map amendment, the Zoning Administrator shall also provide written notification to all property owners within 100 feet of the site.

(f) After consideration of the proposed amendments and no later than January in the annual amendment cycle, the Plan Commission shall recommend the approval of any proposed amendment to the Village Board. The Commission is under no obligation to recommend approval of any requested amendment, and may recommend the amendment with modification. Such Commission action shall be via adoption of a resolution.

(g) Following the Commission recommendation by resolution, and after a required 30 day public hearing notice period under Wisconsin Statutes, the Village Board shall hold a public hearing for the purpose of receiving public

comment regarding the merits of the proposed amendments that have been recommended by resolution of the Plan Commission.

(h) Following the public hearing, the Village Board may adopt all or some of the recommended Comprehensive Plan amendments by ordinance, either as recommended or with modifications.

(4) Review Criteria for Amendments to Comprehensive Plan.

The Plan Commission and Village Board shall utilize the following criteria when reviewing each application to amend the Comprehensive Plan:

- (a) The change is consistent with the goals and objectives of the Village of Weston Comprehensive Plan.
- (b) The requested amendment was not reviewed and denied during a previous comprehensive plan amendment cycle.
- (c) The amendment or projected development that would result will not create an adverse impact on public services and facilities, unless such impact will be successfully mitigated.
- (d) Projected development that would result from the amendment will not create an undue or adverse impact on surrounding properties, and will be consistent with or upgrade the character of the site and the surrounding neighborhood.
- (e) The amendment or projected development that would result will not create an adverse impact on the following, unless such impact will be successfully mitigated: public facilities; public services; the natural environment including trees, slopes, and groundwater; any landmarks or other historically significant structures or properties.
- (f) The amendment is justified by a change in Village actions or neighborhood characteristics.
- (g) The change corrects an error in the Comprehensive Plan.
- (h) There is a community or regional need identified in the Comprehensive Plan for the proposed land use or service.
- (i) The proposed amendment is consistent with other Village plans, policies, and regulations.
- (j) If the proposed amendment is to the Future Land Use map, the amendment must
 - 1. Respond to a substantial change in conditions beyond the property owner's control applicable to the area within which the subject property lies, or
 - 2. Better implement applicable Comprehensive Plan policies than the current map designation; or
 - 3. Correct a mapping error; or
 - 4. Address a deficiency in the Comprehensive Plan as identified by the Commission or Board.

(5) Revocation. Any approved Comprehensive Plan amendment may be reversed by the Village Board outside the regular amendment period upon the findings of any of the following:

- (a) The approval was obtained by fraud or other intentional or misleading representations, or
- (b) The amendment is being implemented contrary to the intended purpose of the amendment or other provisions of the Comprehensive Plan or Village ordinances, or
- (c) The amendment is being implemented in a manner that is detrimental to the public health or safety.

(6) Fee. The Village may require a fee may for this procedure, per the fee schedule approved by the Village Board.

Annual Amendment Cycle and Procedure for the Comprehensive Plan



Cycle 1:

Milestone	Deadline
Application Due Date	April 1
Plan Commission Review and Recommendation	May – June
Public Comment Period	June – July (45-days)
Public Hearing	June – July
Village Board Action	June – July

Cycle 2:

Milestone	Deadline
Application Due Date	October 1
Plan Commission Review and Recommendation	November - December
Public Comment Period	November – January (45-days)
Public Hearing	December – January
Village Board Action	December – January

Attachment 'B'

Adopted by Resolution No. VW-15-15

Date: